

REMARKS

The Official Action mailed April 14, 2003, has been received and its contents carefully noted. Filed concurrently herewith is a *Request for One Month Extension of Time*, which extends the shortened statutory period for response to August 14, 2003. Accordingly, the Applicants respectfully submit that this response is being timely filed.

The Applicants note with appreciation the consideration of the Information Disclosure Statements filed on June 21, 2001, August 16, 2001, and March 7, 2002. The Applicants await consideration of the Information Disclosure Statement filed on February 4, 2003.

Claims 1-7 and 9-16 are pending in the present application, of which claims 1, 6 and 11 are independent. Independent claim 6 has been amended to better recite the features of the present invention. The Applicants note with appreciation the allowance of claims 1-5 and 11-16. For the reasons set forth in detail below, all claims are believed to be in condition for allowance.

The Official Action objects to claim 11 asserting that claim 11 is a substantial duplicate of claim 1. The Applicants respectfully submit that claim 11 is patentably distinct from claim 1. Although claim 1 recites an island-like insulating film, claim 11 recites a mask. Reconsideration and withdrawal of the objection are requested.

The Official Action rejects claims 6-7 and 10 as obvious based on the combination of U.S. Patent No. 5,156,628 to Ohnuma et al. and U.S. Patent No. 5,970,366 to Okonogi. The Applicants respectfully submit that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present invention, as amended.

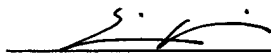
As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some

teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. Independent claim 6 has been amended to recite the feature of a light emitting device. This feature is supported in Embodiment 5 of the present invention. Ohnuma and Okonogi do not teach or suggest a light emitting device. Since Ohnuma and Okonogi do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,



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